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July 19, 2005

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**Mail Stop Amendment**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Re:** U.S. Utility Patent Application  
Application No. 10/826,923; Filed: April 19, 2004  
**For:** Methods of Treating Diseases Responsive to Induction of Apoptosis  
and Screening Assays  
**Inventors:** Kasibhatla *et al.*  
**Our Ref:** 1735.0870001/RWE/ALS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
2. One (1) page of Form PTO-1449 citing three (3) documents; and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Aaron L. Schwartz  
Attorney for Applicants  
Registration No. 48,181

ALS/law  
Enclosures  
422639\_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Kasibhatla *et al.*  
Appl. No.: 10/826,923  
Filed: April 19, 2004  
For: **Methods of Treating Diseases  
Responsive to Induction of  
Apoptosis and Screening Assays**

Confirmation No.: 1333  
Art Unit: 1616  
Examiner: *To Be Assigned*  
Atty. Docket: 1735.0870001/RWE/ALS

**Information Disclosure Statement  
Filing Under 37 C.F.R. § 1.97(b)**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. In accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patent application publications, documents **AA1** and **AB1**, cited on the attached Form PTO-1449 are not submitted. In addition, a copy of document **AR1** is not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is *sua sponte* waived where the cited pending application is stored in the USPTO's IFW system."

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

Application No. 10/164,705, inventors Cai, S.X., *et al.*, filed June 10, 2002; now published as 2003/0045546 A1, cited herein as document **AA1**;

Application No. 10/737,865, inventors Cai, S.X., *et al.*, filed December 18, 2003; now published as 2004/0127521 A1, cited herein as document **AB1**, and

Application No. 11/074,077, inventors Cai, S.X., *et al.*, filed March 8, 2005; not yet published, cited herein as document **AR1**.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

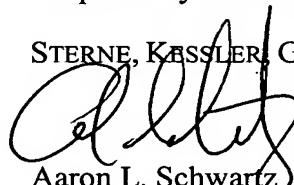
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: July 19, 2005

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.  
1735.0870001/RWE/ALSAPPLICATION NO.  
10/826,923FIRST NAMED INVENTOR  
Kasibhatla, S.FILING DATE  
April 19, 2004ART UNIT  
1616

JUL 19 2005

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	REMAINDER OF THIS PAGE IS FOR EXAMINER USE ONLY
	AA1	2003/0045546 A1	03/06/2003	Cai et al.			
	AB1	2004/0127521 A1	07/01/2004	Cai et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	1	Co-pending U.S. Application No. 11/074,077, inventors Cai et al., filed March 8, 2005 (NOT PUBLISHED)
	AS		
	AT		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.